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## UNITED STATES PATENT AND TRADEMARK OFFICE

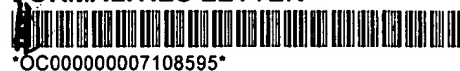
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/769,744	01/26/2001	Richard William Falla Le Page	031855.0001C

CONFIRMATION NO. 7580

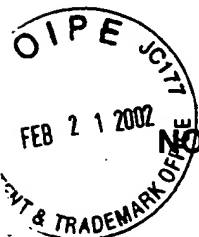
26118  
BROBECK, PHLEGER & HARRISON, LLP  
ATTN: INTELLECTUAL PROPERTY DEPARTMENT  
1333 H STREET, N.W. SUITE 800  
WASHINGTON, DC 20005

## FORMALITIES LETTER



\*OC000000007108595\*

Date Mailed: 11/21/2001



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*  
02/27/2002 MWOLDER1 00000103 09769744
- Total additional claim fee(s) for this application is \$1044.
 

■ \$54 for 3 total claims over 20.	02 FC:201	370.00 OP
■ \$720 for 9 independent claims over 3.	03 FC:202	378.00 OP
■ \$270 for multiple dependent claim surcharge.	04 FC:203	27.00 OP
	05 FC:204	140.00 OP
	06 FC:205	65.00 OP
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1884.**
- A request to transfer the computer readable form from another application on file at the U.S. Patent and Trademark Office has been submitted as permitted by 37 C.F.R. 1.821(e). However, the request cannot be complied with since there is no compliant CRF present at the United States Patent and Trademark Office. Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

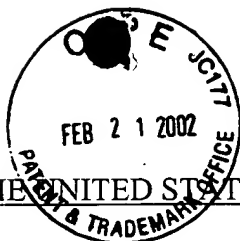


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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



ATTORNEY DOCKET: 031855.0092

Sector  
PATENT #B#6  
BOX 560

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Richard William Falla LE PAGE, et al. ) Group Art Unit: To be Assigned  
Application Number: 09/769,744 ) Examiner: To be Assigned  
Filed: January 26, 2001 )  
For: NUCLEIC ACIDS AND PROTEINS FROM STREPTOCOCCUS PNEUMONIAE )

**PETITION FOR EXTENSION OF TIME  
RESPONSE TO NOTICE OF MISSING REQUIREMENTS AND  
SUBMISSION OF SEQUENCE LISTING**

**BOX SEQUENCE**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants respectfully request a two-month extension of time under 37 C.F.R. §1.136(a) for responding to the Notice of Missing Requirements mailed November 21, 2001 in the above-identified patent application. The filing fee of \$200.00 for one-month extension of time (small entity) is enclosed. Accordingly, the period for response is extended to run until **February 21, 2002**.

In response to the attached U.S. Patent and Trademark Office (PTO) Notice of Missing Requirements mailed November 21, 2001, Applicants submit herewith the executed Declaration and Power of Attorney for Patent Application, Verified Statement (Declaration) Claiming Small Entity Status-Small Business Concern, excess claims fee, multiple dependent claims fee, and surcharge for late filing for the above-captioned patent application.

Applicants also submit a computer readable "Sequence Listing" on CD-R 700/MB/80 MIN 1x-24x IBM Compatible, stored using MS Windows 2000 operating system in a file entitled "P21122US Sequence Listing", occupying 395 KB stored on February 21, 2002.

02/27/2002 HMOLDER1 00000103 09769744  
01 FC:216 200.00 DP

03/26/2002 YGIZAW 00000002 09769744  
01 FC:215 55.00 DP

Adjustment date: 03/26/2002 YGIZAW  
02/27/2002 HMOLDER1 00000103 09769744  
WASLIB/LP58205231.01 -200.00 DP

The undersigned certifies that the sequence listing information recorded in computer readable form is identical to the written sequence listing and the submission includes no new matter.

The filing fees are, therefore, calculated as follows:

Basic Filing Fee	\$370.00
Excess independent claims over 3	\$378.00
Total claims over 20	\$ 27.00
Multiple dependent claim surcharge	\$140.00
Late Filing Surcharge	\$ 65.00
Two-Month Extension of Time	<u>\$200.00</u>

**TOTAL AMOUNT ENCLOSED    \$1,180.00**

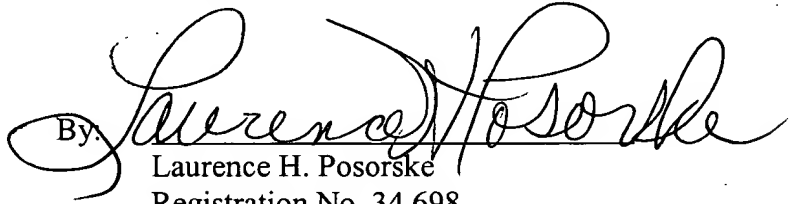
A check in the amount of \$1,180.00 is enclosed.

In the event any variance exists between the amount authorized and the Patent Office fees, please charge or credit any difference to the undersigned's Deposit Account No. 50-1640.

Respectfully submitted,

BROBECK, PHLEGER & HARRISON LLP

February 21, 2002

By:   
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Registration No. 34,698

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LHP:cdh